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Summary record of the 3rd meeting
Held at Headquarters, New York, on Tuesday, 4 October 2016, at 3 p.m.

Chair: Mr. Drobnjak ..... (Croatia)

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* Items which the Committee has decided to consider together.

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The meeting was called to order at 3.05 p.m.

Agenda item 54: Information from Non-Self-Governing Territories transmitted under Article 73 *e* of the Charter of the United Nations (*continued*) (A/71/23 (chaps. VII and XIII) and A/71/68)

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Agenda item 58: Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (*Territories not covered under other agenda items*) (*continued*) (A/71/23 (chaps. VIII, IX, X and XIII), and A/71/224)

1. **Mr. Oyarzun Marchesi** (Spain) said that, year after year, his country had addressed the Committee regarding the illegal occupation of the isthmus of Gibraltar and Spanish sovereignty over the territorial waters — neither of which had been ceded to the United Kingdom — and, above all, reiterated United Nations doctrine regarding the decolonization of that territory. Spain had consistently invited the United Kingdom, its friend and ally, to comply with the United Nations mandate and to enter into negotiations on Gibraltar. In the light of the recent United Kingdom vote to leave the European Union, Spain was therefore renewing its offer with a sense of urgency. Under the European treaties, a British exit ("Brexit") would also imply the exit of Gibraltar, marking a radical shift in the Territory's relationship with Spain and entailing significant consequences for Gibraltar, whose economic model was based on full participation in the European Union internal market, and for the adjacent Spanish district of Campo de Gibraltar, whose economy was closely interconnected with the Territory's given the major presence of Spanish workers in Gibraltar itself.

2. Consequently, Spain had formally invited the United Kingdom to open negotiations on a joint sovereignty agreement to ensure that the provisions of the European Union treaties would continue to apply to Gibraltar. In a post-Brexit European Union, that would only be possible if there was a political tie between Gibraltar and Spain. The offer was in no way an obligation; Gibraltarians were invited to study it in depth as they would want to participate in any future negotiations and their officials would be welcome to do so as part of the British delegation. While Spain would never relinquish its just claim for a definitive solution to the question of Gibraltar in line with the relevant General Assembly resolutions and the Charter of the United Nations, it was determined to work with the United Kingdom to reach an agreement.

3. The proposal entailed four major points: possible dual-nationality status for Gibraltarians; maintenance of Gibraltarian self-governance institutions within the framework of a wide-ranging system of autonomy and in compliance with the Spanish constitutional system; maintenance of the Territory's special tax regime, insofar as it was compatible with European Union law; and dismantling the fence separating Gibraltar from the rest of the Iberian Peninsula. Spain and the United Kingdom would retain joint authority over matters of defence, foreign affairs, control of external borders, immigration and asylum.

4. Far from being an attempt to interfere in the lifestyle, customs, or traditions of Gibraltar, the proposal had been devised in consideration of his country's historic claims and with the socioeconomic well-being of the region and of the thousands of cross-border workers and businesses in mind. It would benefit all parties, solving a number of pre-existing problems and those that could arise following a United Kingdom exit from the European Union. It would end a centuries-old dispute between two allies and provide a new foundation for strengthening Hispano-British relations. The Gibraltarian economy would continue to enjoy the advantages of access to the European Union internal market and Spain would propose exceptions that took into account the special situation of Gibraltar and were compatible with European Union law. Furthermore, pending European Union legislation

would be unblocked in such important areas as justice and home affairs, aviation and the environment. Gibraltarians opting for dual nationality would continue to benefit from all of the advantages of being European Union citizens. The dismantling of the fence could lead Spain to consider a comprehensive approach to economic development, maximizing the potential of the port and airport of Gibraltar and opening up business opportunities. Accompanied by an investment plan for Campo de Gibraltar, the offer would facilitate movement of workers and visitors and improve the lives of Gibraltarians.

Agenda item 58: Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (*Territories not covered under other agenda items*) (*continued*)

Hearing of representatives of Non-Self-Governing Territories and petitioners

5. **The Chair** said that, in line with the Committee's usual practice, representatives of Non-Self-Governing Territories would be invited to address the Committee and petitioners would be invited to take a place at the petitioners' table, and all would withdraw after making their statements.

Question of French Polynesia (A/C.4/71/3)

6. **Mr. Fritch** (President of French Polynesia) said that his country had never officially addressed the Committee since its re-listing as a Non-Self-Governing Territory in 2013 and therefore it was time to convey the views of the majority of his people — those favouring autonomy, not independence. Firstly, the independence movement had never obtained a majority in any election conducted in French Polynesia, and never once had the Polynesian people expressed a wish to secede from the French Republic.

7. Secondly, the repercussions of nuclear testing concerned all Polynesians, regardless of political or religious affiliation. The pro-independence petitioners appearing before the Committee during the sixty-eighth session of the General assembly had failed to mention that France had been paying an annual nuclear indemnity of US$180 million, nearly 15 per cent of its annual budget, since 1996. They had also neglected to say that France had officially recognized the consequences of nuclear testing since 2010, setting up a mechanism for financial compensation of victims or their families throughout French Polynesia. Furthermore, he questioned the need for an additional paragraph on that issue in the Committee's draft resolution given that in 2016, the President of France had acknowledged the health, environmental and economic consequences of nuclear testing and the need for reparations. The Government of French Polynesia and relevant organizations were making every effort, in collaboration and open dialogue with France, to improve a compensation system that was gradually bearing fruit.

8. Thirdly, it was false to imply that the French Government was confiscating his country's natural resources. It was clear from the autonomy statutes that French Polynesia had the right to explore and exploit the subsurface natural resources in its territory and exclusive economic zone. Furthermore, France had just accepted his request to amend the statutes to clarify the recognition of those rights. Rare minerals had indeed been discovered in French Polynesia in 1989, but had yet to be exploited because his country lacked both the means and the backing of the population to do so. Paragraph 6 of the draft resolution was, therefore, pointless. Lastly, his country's acceptance as a full member of the Pacific Islands Forum, with the full support of France, proved that the 16 member States of that organization saw French Polynesia as their equal and that France had anything but a colonial attitude.

9. With 70 per cent of the electorate consistently opting for an autonomous status, the re-listing of French Polynesia was not only incomprehensible, but also contrary to the wishes of the population, which saw no need for external arbitration by the United Nations and were perfectly aware that their history and way of life differed from that of mainland, European France. However, they had a realistic view of how their country, small in size and population, must deal with an interdependent world and globalized trade. French Polynesians comprised 80 per cent of the population and were not oppressed, excluded or denied the human, political, economic and social rights to which all French citizens were entitled. The 70 inhabited islands all had schools, health centres and airports, and the GDP stood at $20,000 per capita.

10. French Polynesia was not a utopia — social inequalities existed, but they were the result of his

country's own managerial shortcomings, not the consequences of some imagined colonialism. He respected the rights and freedoms of those who fought for independence, having known and engaged with them for years. However, the petitioners that would follow, representing the pro-independence minority, would try to paint a bleak picture of French Polynesia, which he hoped his first address before the Committee would serve to put into perspective.

11. **Mr. Temaru**, speaking in his personal capacity as chair of the Tavini Huira'atira no te Ao Ma'ohi party and Mayor of Faa'a, Tahiti, said that since the re-listing of the Territory, the administering Power had been in a state of denial but continued to conduct back-office manoeuvres and flex diplomatic muscle in the Pacific region and within the United Nations. In a recent communiqué, the Ma'ohi Protestant Church, supporting the quest for the freedom and full sovereignty of the indigenous people and lamenting the French Government's disregard for the consequences of 30 years of nuclear testing, had announced its decision to take legal action against France before the International Criminal Court for crimes against humanity.

12. The Church had also welcomed draft resolution A/AC.109/2016/L.24 adopted by the Special Committee. A petition launched in September 2016 to reaffirm the Ma'ohi people's support for full sovereignty and the Special Committee resolution had been signed by over one quarter of all registered voters and 40 per cent of voters participating in the 2013 territorial elections. Those numbers could not be ignored, as the ever-growing list of signatures reflected the desires and determination of a people looking to the United Nations for support.

13. **Mr. Tevi** (Vanuatu) asked Mr. Temaru to update the Committee on the evolution of the political situation in French Polynesia since its re-listing as a Non-Self-Governing Territory.

14. **Mr. Ramírez Carreño** (Bolivarian Republic of Venezuela) asked Mr. Temaru for further details on the current political situation in French Polynesia.

15. **Mr. Rai** (Papua New-Guinea), welcoming the valuable information provided on the domestic, regional and international state of affairs in French Polynesia, asked Mr. Fritch on what grounds the Government based its request for delisting French Polynesia; what plans, if any, had been devised to that end; and how the Government was working with the administering Power and the proponents of self-determination to meet the objectives of the 2030 Agenda for Sustainable Development. He then asked Mr. Temaru whether he agreed with the position of the new Government of French Polynesia that the Territory should be delisted and, if so, on what basis.

16. **Mr. Fritsch** (President of French Polynesia) said that French Polynesia had sufficient powers to govern and cater to the needs of its people; France remained responsible only for national security, the judiciary, foreign affairs and the CFP franc, which was pegged to the euro. It was true that there were shortcomings regarding some of the powers devolved to French Polynesia, owing to a lack of financial and human resources. However, they could be overcome over time through the capacity-building efforts already under way. Furthermore, French Polynesia still had the authority to negotiate and conclude bilateral and regional agreements in the Pacific, as its neighbours could attest. Reinscription on the list was therefore unfounded.

17. **Mr. Temaru** (Mayor, city of Faa'a, Tahiti) said that since the re-listing of French Polynesia, the Protestant Church had made an unprecedented show of support for the full sovereignty of his people and that there had been thousands of signatures supporting the draft resolution of the Special Committee. Recalling that his country had been on the list until 1946, whence it had been removed by France without the consent of his people, he said that if there was true justice, his fellow petitioners would not be appearing before the Committee.

18. **Mr. Geros**, speaking in his personal capacity as a Council Member of Paea, Tahiti, said that the establishment of municipalities in French Polynesia under article 72 of the French Constitution created a divide within the local government. The 48 municipalities had no real autonomy, as decisions were taken by the administering Power, via the French Parliament, instead of through the local elected officials. Such interference fuelled financial, institutional and political tensions and created a structural paradox that clearly undermined the principle of administrative freedom for local authorities enshrined in the administering

Power's own Constitution. That was substantiated by an official report, adopted by the French Senate, that called for greater respect for the rights of local authorities.

19. Yet, the administering Power continued its attempts to divide and conquer, using the municipalities to obstruct self-governance in French Polynesia. Any opposing political or democratic expressions from within French Polynesia were systematically blocked, as evidenced most recently by the intentional delay in implementing the results of a referendum, in which 99 per cent of the residents of a town had voted in favour of full municipality status. Furthermore, the 2016 Conference of mayors of French Polynesia had issued an ultimatum to the local authorities to clarify the policy on how public funding to all 48 municipalities would be sustained. He therefore reaffirmed the validity of General Assembly resolutions calling for a genuine self-determination process overseen by the United Nations.

20. **Ms. Teura** (Council Member, City of Tumaraa), said that the colonial immigration policy, imposed by France on the people of French Polynesia, was unsuited to the Non-Self-Governing Territory or its traditions, did not fit its vision and culture of migration, and completely hindered its economic development.

21. French citizens, and indeed those of any member State of the European Union, could enter freely and re-settle in the Territory, gaining the right to vote after only six months' residence. The right to vote should reflect knowledge of the land and the people, but the voice of the native Polynesian people was being drowned out. According to the 2012 census, 30,400 non-native settlers had come to French Polynesia since 2007. Re-settlers frequently arrived with fixed contracts that protected them from the labour crisis affecting young, educated Polynesians. Only 7.5 per cent of those immigrants were unemployed, compared to 22.6 per cent of the resident population.

22. Immigration also adversely affected the tourism industry. The local government had no control over which tourists could visit, could not adopt a tourism policy, and could not modify tourist visa requirements to grow the economy. The administering Power decided that only European Union citizens and those of 54 other countries could enjoy their beautiful islands. Even their Pacific cousins were not included in that Paris-issued list. Finally, given that there was no proper spouse visa in the French system, foreigners married to indigenous people had more difficulties than Europeans not married to a French or Polynesian person.

23. **Mr. Taerea** (BlueDJEUNS Association Punaauia), said that, regardless of the French Constitution or the Organic Law of 2004 governing their autonomous Territory, the local employment protection system in French Polynesia existed only on paper. It was not implemented by the local Congress because local legislation was hobbled by criteria that served only the interests of the administering Power and did not protect and preserve the labour rights of the local people.

24. In 2009, the first attempt to adopt local legislation was rejected by the administering Power because the self-serving colonial criteria were not met. In 2016, a second attempt was boycotted and the administering Power threatened a lawsuit against the legislation. Those attacks demonstrated the sensitivity of the issue for the administering Power, which did not seek to promote local sustainable development. While France endorsed the concept of local preference in employment, it did not support a single labour policy drafted in French Polynesia, owing to motives dating back to the colonial period of the Pacific Experimentation Centre and the subsequent French nuclear tests in the Territory. That period had deeply unsettled French Polynesia's economic, social and cultural development and created a tremendous gap between the ruling business class and wealthy European landowners, and the regular Polynesian people who were silent victims of that economic model and its corrupt distribution of wealth and opportunities.

25. Sadly, the same model persisted even 40 years later, and economic disparity and racial segregation were on the rise. Any French Polynesian legislation protecting local employment that affected those private interests was blocked by the administering Power through its local allies, significantly affecting the Territory's ability to enact laws and regulations to limit the increasing impact of preferred immigrants from France and thus protect its people's employment opportunities, increase local capacity and ensure sustainable development in the islands.

26. **Mr. Chailloux**, speaking in his personal capacity as a professor of Tahitian language at the University of Hawai'i at Manoa, said that French Polynesia's indigenous languages undergirded its ancient culture and indigenous identity, safeguarding the expression of a particular worldview forged by its ancestors, history and traditions.

27. Therefore, the language of French Polynesia must always be regarded as the heart of a priceless heritage of that country, which had struggled for more than 136 years of French political and linguistic colonization. The Tahitian language, the most prominent Polynesian language in the five archipelagos, had long held official and equal status to that of French. However, in 1992, Article 2 of the French Constitution was revised, robbing Tahitian of its rightfully official status and making it impossible for bicultural reality of French Polynesia to be recognized. The administering Power's refusal to acknowledge the people's unique culture and history relegated them to the status of a synthetic population.

28. The European Charter for Regional or Minority Languages was intended to protect and promote those languages and their use in the public and private sector. Although France was a signatory of the charter, it had continued to categorically refuse ratification, claiming that the Charter contained clauses that contravened the French Constitution. In 2015, proposed amendments to the Constitution which would allow ratification were rejected in the French senate.

29. He called for the international community's support in strongly urging France to subscribe to the process of decolonization and ratify that Charter so as to acknowledge, among other things, the Territory's most legitimate right to officially exist as an indigenous people with land, a culture and a native tongue.

30. **Ms. Minarii Galenon** (Vahini Miri Rava, Tahiti), said that the educational system in French Polynesia was controlled by the administering Power, despite the illusion that control was delegated to their local government. By covertly threatening to cease funding, the administering Power intruded on every aspect of education through exams and administrative organization. French Polynesia was treated as if it were just another French district when it was supposed to be autonomous. Given that only France could issue national diplomas, Polynesians were implicitly forced to copy French educational programmes. Power was given by one article of law, then taken away by another, with catastrophic results for Polynesian youth.

31. Of all its overseas territories, French Polynesia placed last on the French Development Agency's Human Development Index. It was penalized for its limited social performance, including its level of education, which was the lowest among all the French overseas territories. Only 54 per cent of French Polynesian children entering first grade would become high school seniors, compared to 83 per cent of French children.

32. The greatest tragedy of the French colony was its illiteracy. Between 38 to 42 per cent of its young people were illiterate, compared to 10 per cent in France. She wondered how that could be called sustainable development after 40 years of autonomy. The imposed French educational system was clearly not adapted to the majority of the Polynesian people, and the consequences of failing schools on their lives were deep and long-lasting. The administering Power's continuous threat of funding reductions hung like the sword of Damocles over the local government, forcing it to accept numerous violations of its own political competencies.

33. **Ms. Cross** (Council Member, City of Teva i uta), said that the administering Power maintained financial and economic control over French Polynesia through its multinational corporations. Currently, Electricité de Tahiti (EDT) had a monopoly on the production and distribution of electrical energy on the Territory's islands. EDT was a subsidiary of the French multinational company Engie, the third-largest energy corporation in the world, of which the administering Power was the largest shareholder. To further monopolize that energy market, Engie ran gas- and oil-providing companies to which EDT outsourced all its work at highly inflated rates. The locally elected representatives were ill-equipped to face those large multinational corporations, which dictated regulations and rules through their strong lobby.

34. In 2007, her local Congress addressed the issue of the multinational corporations' monopolies and the prohibitive rates they charged to the people of French Polynesia. However, a General Code of Territorial Collectivities establishing obligations of municipalities

for tap water distribution, sanitation and waste management was adopted in Paris in 2008 without debate and imposed on all municipalities, including those of French Polynesia (over the objections of the locally elected government). Despite the failure to appropriate the materials and financial resources for those obligations, violations of those obligations were subject to penal and electoral sanctions. Lacking expertise and resources, most local officials were forced to delegate the implementation of those services to mainland companies that charged extremely high rates.

35. **Mr. Cross**, speaking in his personal capacity as an honorary lawyer of Papeete, said that, despite the praise bestowed by the administering Power and the pro-French political factions in French Polynesia on the merits of the Territory's autonomous status since 1977, its justice system remained under France's full control. While France had delegated a few of its statutory executive and legislative competencies to the local government, it covetously kept the judicial branch in hand, giving rise to unequal access to the legal professions among other issues. Any new Polynesian judge must practice in the French courts for 10-15 years before becoming a judge in the Territory. Unsurprisingly, of the 42 judges assigned to the justice courts in French Polynesia, only one Polynesian was to be appointed in 2016, the first since 1958. Moreover, while all Polynesian languages could be freely spoken and written in the courts in conformity with free access to legal services, the local assembly's attempts since 2001 to provide translation services for all Polynesian languages had failed because of clear opposition from the administering Power. Free translation services were not provided at any court throughout the entire Territory.

36. Although long established by the Organic Law of 2004, the Land Tribunal would not operate until 2017. That delay made it clear that resolving the issues created by more than 160 years of colonization was not a priority for the administering Power, whose continued control of the justice system in the Territory was a violation of the Declaration on decolonization and General Assembly resolution 2625 (XXV).

37. **Mr. Bessedik** (Algeria) wished to clarify the procedure for questioning petitioners. In previous sessions, each statement had been followed by specific questions, but that did not appear to be the current procedure.

38. **The Chair** repeated that, given the unprecedented number of current petitioners, he was allowing them one minute to respond to follow-up questions. Delegations should indicate their wish to speak by pressing the microphone button before petitioners finished their statements so that the Chair could immediately give them the floor.

39. **Mr. Bessedik** (Algeria) said that that procedure was unacceptable in instances where there were several questions and only one minute to respond, because those questions were related to colonization, one of the worst human rights violations. He therefore asked the Chair to re-examine that procedure.

40. **The Chair** noted the comment and recalled that when he had allowed four questions, he had not strictly observed the one-minute rule, but was obliged to observe the three-minute rule. He assured the representative that he would do his utmost to accommodate everyone's needs in that very important debate.

41. **Mr. Quenot** (Director, Office of the President of the Corsican Assembly) said that, although Corsica, New Caledonia and French Polynesia were widely separated, they spoke with a single voice that day. Some of the similarities between Corsica and French Polynesia included their insularity and experience with colonial reality. Following Algeria's independence in 1962, France had sought new territories for its nuclear experiments and chose Corsica. Only after Corsicans had denounced that violation of their land did France move its testing sites to the South Pacific, causing damage that had been invisible to those in mainland France, but irreversible for Polynesians.

42. **Mr. Conroy**, speaking in his personal capacity, said that the first French nuclear test on 2 July 1966 at Mururoa atoll was twice as powerful as the Hiroshima bomb. The International Atomic Energy Agency (IAEA) had measured the radioactivity level that day on Mangareva, an islet close to Mururoa, as 142 times higher than that of the Chernobyl exclusion zone. A document classified as a defence secret recorded that the radioactive fallout from that first blast had been detected everywhere in French Polynesia in the following days. Despite the catastrophic findings from

the very outset of the programme, France had continued to carry out those atmospheric detonations until 1974, producing 203 incidents of radioactive fallout throughout the Territory's inhabited islands.

43. Despite launching information campaigns to show that its nuclear tests posed no danger to the population, France had poisoned the entirety of the Polynesian people, their descendants and their environment with the ionizing radiation emitted by those tests. According to the Institute for Radiological Protection and Nuclear Safety, radioactivity continued to be present in the soil and water of all the Polynesian archipelagos.

44. During his February 2016 visit, the French president had acknowledged the serious consequences of nuclear tests in French Polynesia, but had not said a single word about repentance or reparation for the physical and spiritual damages incurred, and still less on dealing with the victims' suffering. However, following the speaker's 2012 petition, France had, via an official letter dated 5 July 2016, recognized that his spouse, who had died of myeloma, had been a victim of nuclear tests. By acknowledging for the first time that a Polynesian resident who had lived 1,200 kilometres away from the test site had been a victim of those tests, the colonial power had admitted that all the Polynesian people had been exposed to, contaminated and rendered ill by the radioactive fallout from its nuclear tests. He wondered whether those factors did not amount to a veritable crime.

45. French Polynesia called upon France to provide the full truth on how many people had died contaminated like his spouse, as well as how many had been disabled for life by radiation-induced illnesses for who knew how many generations.

46. **Ms. Tevahitua** (Te Vahine Ma'ohi no Manotahi) said that from 1966 to 1996 the administering Power had conducted 193 nuclear tests in the Mururoa and Fangataufa atolls in French Polynesia. Radioactive fallout from those tests, totalling 900 times the yield of the Hiroshima bomb, had directly and repeatedly contaminated all the islands' people and their descendants, against whom the administering Power had perpetrated an insidious nuclear genocide.

47. Since establishing the Cancer Registry in 1985, the local Ministry of Health had noted an increased number of medical evacuations of locals to the mainland and New Zealand for cancer treatments, an increased number of new cancers reported each year and a higher incidence of blood and thyroid cancers in the Territory as compared to Polynesians in New Zealand and Hawaii.

48. The health legacy of those tests was currently nothing less than catastrophic. Almost 8,000 people with nuclear radiation-induced illnesses had been identified by French Polynesia's Social Insurance Fund, yet only seven French Polynesian patients had been compensated by France's Committee for Compensation of Victims of Nuclear Testing to date; with 500 new cases that year alone, there was a sense that the atrocity was inexorable.

49. Noting the resolution adopted by the Special Committee on decolonization in June 2015, requesting the Secretary-General to provide continuous updates to his report on the environmental, ecological, health and other impacts of the 30-year period of nuclear testing in French Polynesia (A/69/189), she urged the Secretary-General to broaden the scope of those requirements to include independent reports offering a comprehensive analysis of the impact of nuclear testing from a historical and technical standpoint. She also reiterated earlier calls for the United Nations Scientific Committee on the Effects of Atomic Radiation to add the impact of nuclear testing in the martyred occupied French Polynesia to their substantive work programme.

50. **Mr. Galenon** (Conseil Économique Social et Culturel de la Polynésie Française) said that, while no nuclear tests had been conducted on French soil, 193 were conducted in Polynesia. Those crimes against Mururoa and Fangataufa and their homeland were a part of their sad, dramatic history. In 2005, military personnel were the first to be compensated for nuclear tests in Algeria and French Polynesia. In 2006, the French Polynesian Economic, Social and Cultural Council had published a report recommending that the French Government recognize and take full responsibility for that nuclear reality.

51. The Morin Law, enacted in 2010, aimed to compensate every person afflicted with one of the 18 illnesses listed therein. In 2011, a French representative proposed an agreement on reimbursing expenses for radiation-induced illnesses to the French Polynesian social insurance fund, to which the Fund

responded by sending the French Government a schedule of associated expenses incurred since 1992. By January 2015, that continuously-updated schedule contained 7,489 victims of 21 nuclear radiation-induced illnesses (two-thirds of whom had passed away), with expenses reaching $514,272,000. To date, only three cases had been reimbursed by the administering Power.

52. That deceitful law required that vulnerable victims prove their eligibility to a reimbursement committee whose criteria were unrealistic and inconsistent, although it had at its disposal all the responses classified as defence secrets for the past 50 years. The indigenous victims were thus unable to compile an application eligible for reimbursement. He wondered how one could explain to French Polynesians afflicted with fatal, radiation-induced illnesses that they had been exposed to only harmless and insignificant quantities of it, or that military personnel and on-site workers, who had supposedly been equipped with dosimeters, received better treatment. In February 2016, the administering Power's court had again rejected the Fund's requests. However, as a champion of human rights, France must pay its moral and financial debt to the indigenous victims. The fact that it had ceded policy jurisdiction in health matters to the local French Polynesian authorities did not diminish its obligations and responsibilities.

53. Pouvanaa Oopa, an anti-colonialist figure who had been imprisoned and exiled for having opposed nuclear tests and had passed away in 1977, had yet to be rehabilitated by France. Protesting for such a cause was not separatist, racist or anti-French — it was simply taking cognizance of one's rights. Since 1957, France had justified its nuclear tests by emphasizing the benefits of colonization. However, French Polynesia has reached record rates of unemployment and its prisons were the most inhumane in France. He urged Committee members to support the resolution adopted by the Special Committee on 27 June 2016.

54. **Mr. Gooding**, speaking in his personal capacity as a pearl farmer from Rikitea Island, said that, eight days following the first blast in July 1966, a physician then on a field mission in Mangareva had compiled a damning report filled with the official lies of army personnel, which gave rise to the theory of "clean" tests. Not only had the French State imposed its nuclear tests on the Polynesian people through a manipulated vote, it had also falsified the amount of fallout in Mangareva. The local population had been massively contaminated as of the first explosion in 1966 and had suffered an inexplicably high rate of infant mortality between 1966 and 1974. To date, whole families were gravely ill and almost all afflicted with a thyroid imbalance.

55. Thus, on behalf of his people and of all French Polynesian victims of those lies and injustices, he asked that truth and justice should be served with regard to the nuclear situation in French Polynesia, that the Polynesian people should officially express themselves on that subject through a local referendum like that initiated by Association 193, and that epidemiological studies should be conducted. He also supported that Association's request for a specialized group to assist the victims of the nuclear tests throughout the five archipelagos of French Polynesia in preparing reimbursement applications for their family members, living or dead. After fifty years of lies and suffering, the persistence of such indifference only demonstrated a lack of humanity.

56. **Mr. Chan** (Association Te Rau Atiati) said that the 2005 French constitutional law on the environmental charter stipulated that everyone had the right to live in a balanced and healthy environment, and that each person must contribute to repairing the damage he or she had caused the environment. The 46 atmospheric and 147 underground nuclear tests conducted from July 1966 continued to wreak havoc on the French Polynesian environment, having produced 368 incidents of radioactive fallout throughout the entire Territory, according to a report issued by the Ministry of Defence in 2006 and documents declassified in 2013. Moreover, 3,200 tons of contaminated materials (vehicles, space rockets, airplanes and radioactive waste of all grades) had been dumped into the ocean near the Hao and Mururoa atolls; tons of radioactive waste of every grade had been discharged into the Mururoa lagoons, and highly-radioactive materials were stored in wells dug in that atoll.

57. Most importantly, two wells located less than 50 meters from the ocean contained radioactive waste in violation of international regulations for storing such waste. Despite General De Gaulle's assurances

that "all measures had been taken so that no harm of any kind would be inflicted on the populations of French Polynesia", the 147 underground explosions had strongly destabilized the geological structures of Mururoa: large faults had appeared; the exterior slopes of the southern zone had collapsed in three places; and a severe risk of collapse existed in the northern zone, which had been weakened by 20 underground tests. He wondered how one could guarantee that the inhabitants of the Tureia atoll, 100 kilometres distant, were not in any danger. Considering the radioactivity levels and presence of plutonium in the seabed, the Mururoa and Fangataufa atolls were definitively unsuitable for any ordinary human activity. He thus requested, in conjunction with actions taken by Association 193 and on behalf of his association and others in French Polynesia, that the French State should provide reparation by restoring the Hao atoll, in which plutonium had been stored under a 10-centimetre slab along with industrial waste in enormous quantities; demolish all contaminated and ruined structures on over thirty islands or atolls; and implement a safety plan for the population of the Tureia atoll by enforcing the constitutional law on the environmental charter.

58. **Mr. Uebe Carlson** (Association 193) said that the 193 nuclear blasts detonated in French Polynesia, one every two months for a period of thirty years, were in the aggregate 800 times more powerful than the Hiroshima bomb; French Polynesia was thus a nuclear dustbin completely poisoned by France. In reply to the statements made by President Fritsch, he asserted that the situation in the Territory was in fact catastrophic. Over 7,000 cases of illness were recorded between 1992 and 2012 and over 500 persons became ill every year. The high, trans-generational rate of illness meant that the majority of children suffered from breast cancer, thyroid problems and congenital defects. If that was not a sad picture, he asked why more than 50,000 Polynesians had, in only two months, signed a petition calling for a local referendum.

59. Many among the population exhibited the illnesses listed in the ineffective Morin Law, which claimed that the risks were negligible and prevented the victims from finding a solution to their suffering. They were told that there was no evidence those illnesses were linked to the nuclear trials. French Polynesian children were completely ignorant of their own history, but were told they did not need to understand it. However, a people unaware of its own history could never rise above it. The Mururoa atoll risked collapse at any moment, but French Polynesians were told that nothing critical would happen. If France allowed itself to be known as the homeland of human rights and dared to speak of genuine equality, the French Government must fully assume its responsibilities.

60. **Mr. Tuheiava** (Member of the Assembly of French Polynesia) said that it was imperative for his nation to regain permanent sovereignty over its natural resources, a primary source of wealth creation. Not only did it have no control over its raw materials, French Polynesia was also powerless against the spoliation especially of such strategic resources as cobalt, manganese and rare earths, to serve the interests of France, the administering Power. Furthermore, revenue generated by a French tax on commercial planes flying over French Overseas Territories, such as French Polynesia, should benefit the local economy. Under its space programme, the administering Power, had launched almost 50 per cent of the world market in satellites since 1963, a considerable number of which traversed the exclusive economic zone of French Polynesia daily. The inclusion in the draft resolution before the Committee of a provision urging the administering Power to ensure French Polynesia's permanent sovereignty over its natural resources, including marine resources and undersea minerals, was welcome. On the other hand, the removal of French Polynesia from the list of Non-Self-Governing Territories was a source of dissatisfaction, as that constituted a violation of its right to self-determination.

61. **Mr. Tevi** (Vanuatu) asked how the recent designation of French Polynesia as a managed maritime area had affected the Territory's control of its marine resources, and whether there were other resources not presently available to the Territory that could advance its economic stability.

62. **Mr. Otto** (Palau) asked Mr. Tuheiava to explain to the Committee why an updated report by the Secretary-General on the impact of nuclear testing in French Polynesia was necessary.

63. **Mr. Ramírez Carreño** (Venezuela) asked Mr. Tuheiava how he would organize the review of the results of the report of the Secretary-General.

Including the views of petitioners in such reports would make it possible to better reflect the reality on the ground.

64. **Mr. Bessedik** (Algeria) asked Mr. Tuheiava to elaborate on the issue of exploitation of natural resources in the Territory.

65. **Mr. Tuheiava** (Member of the Assembly of French Polynesia) said that most of the petitioners from French Polynesia had missed the opportunity to comment on the 2014 report of the Secretary-General on the environmental, ecological, health and other impacts of nuclear testing in French Polynesia because of the report's late release. The report — based on information supplied by only two of the 21 agencies consulted, contained a great deal of obsolete information on the health and environmental consequences of nuclear testing, was unacceptably incomplete, and did not reflect unreleased information on certain military aspects of the nuclear tests. Furthermore, it failed to mention the recognized risk of collapse of the reef crown at the site of nuclear tests, where radioactive remains could still be found.

66. Although the administering Power had adopted legislation recognizing the need to provide compensation to the victims of the tests, it had failed to implement it. Meanwhile, in November 2014, the local Assembly had adopted a resolution calling on France to acknowledge the colonial nature of its 193 nuclear tests in the Territory, marking the first time that both pro-France and pro-independence groups had joined in doing so. Between 1992 and 2016, the equivalent of approximately $500 million in French Pacific Francs was paid for the health expenses of inhabitants of French Polynesia officially affected by nuclear-related diseases.

67. There were several categories of natural resources under the control of the administering Power. Deep-sea resources, for example, were managed by the local government, except those qualified as "strategic" by the administering Power. All revenue earned from the exploitation of those resources lined French coffers, an unacceptable situation that also impeded the decolonization process.

68. **Mr. Brotherson**, speaking in his personal capacity as a deputy mayor of Faa'a, Tahiti, said that France had initially opposed the idea of French Polynesia joining the Pacific Islands Forum as a full member. However, wishing to mitigate the diplomatic blow dealt by the re-listing of French Polynesia as a Non-Self-Governing Territory, and also seeking to reaffirm its presence in the region, France had begun to support the idea of full membership. Not having achieved full autonomy, it was clear that French Polynesia's upgrade to full membership in the Forum was based on cultural, economic, as well as political reasons related to France's lobbying.

69. **Mr. Zvachula** (Micronesia) and **Mr. Rivero Rosario** (Cuba) asked Mr. Brotherson whether the upgrade to full membership to the Pacific Islands Forum had resulted in improvements to the structure of governance in French Polynesia.

70. **Mr. Brotherson** said that the set of so-called competencies of the local government had neither been updated nor improved since 2004. Because no important decisions could be made without permission from the French capital, the French Polynesian member of the Pacific Islands Forum, a decisional entity, was nevertheless unable to make decisions.

71. **Mr. Corbin** (Dependency Studies Project), noting that the Project was devoted to the analysis of non-independent governance models, said that in establishing the substantive basis for the re-listing of French Polynesia as a Non-Self-Governing Territory, a self-governance assessment had been undertaken to ascertain the level of self-government according to recognized international standards. Self-governance indicators, derived from the minimum standards of self-government as set out in international instruments, were used to diagnose the nature of a Territory's political status. Those indicators had been formulated with specific reference to small island non-independent countries and were used to classify the relationship between Territories and administering Powers.

72. With specific reference to French Polynesia, a number of indicators pertaining to the constitutional and political dimension, the economic and social dimension, and the military and strategic dimension had been analysed. The assessment had concluded that the Territory was indicative of a dependency governance arrangement which had been modernized in form and nomenclature over time, but not in substance. It had found that there remained a significant political imbalance and a high degree of

unilateral control exercised by the administering Power in the political, socioeconomic and strategic areas, among others, with significant democratic deficiencies, such as the full control by the administering Power of the judicial system. Because the Territory exercised a form of delegated authority that could not be unilaterally reversed, it was ultimately determined that French Polynesia did not meet the recognized international standards for the full measure of autonomous self-government. That had provided the substantive basis for the re-listing of French Polynesia as a Non-Self-Governing Territory in 2013. In that connection, the resolution adopted by consensus in the Special Committee should also be adopted by the Fourth Committee and its implementation monitored closely. It should be recalled that even colonialism by consent was colonialism nevertheless.

Question of Gibraltar (A/C.4/71/4)

73. **Mr. Picardo** (Chief Minister of Gibraltar) said that it was necessary to place the defamatory remarks made by the representative of Spain in their proper context. The Committee should recall that in 1966 Spain had rejected the formal offer made to it by the United Kingdom to settle the dispute before the International Court of Justice, instead choosing to pursue its claim through blackmail and the economic strangulation of Gibraltar. Spain had refused to bring its case to the Court because it had actually ceded sovereignty over Gibraltar by legal treaty to Britain over 300 years previously. Even a recent ruling of the Court of Arbitration for Sport, an international tribunal, had acknowledged Britain's sovereignty.

74. Gibraltar could enjoy the potential prosperity mentioned by the representative of Spain if that Government would cease to hinder it. And although it might seem reasonable on its surface, Spain's call for bilateral negotiations with the United Kingdom was not, because Gibraltarians would be excluded from the talks, and the only outcome acceptable to Spain would be its annexation of Gibraltar.

75. The Spanish Government saw the Brexit as an opportunity to advance its territorial claim. It had offered Gibraltar a way to preserve its ties with the European Union while also bombarding it with threats of what could happen should it refuse. Although the majority of Gibraltarians had voted to remain in the European Union, Gibraltar was not prepared to give up sovereignty in order to do so. It had already made its desire to remain British quite clear in two free and fair referendums.

76. Gibraltar was willing to participate in resumed talks in the trilateral Forum for Dialogue on Gibraltar, where it could work together with Spain to address shared challenges. Unfortunately, however, the Spanish Government seemingly relished the prospect of taking over Gibraltar against its will, and was attempting to use the United Nations decolonization process and the Brexit in its favour.

77. The Spanish Government's suggestion that the General Assembly not approve visiting missions to Territories that were subject to sovereignty disputes was illogical and counterproductive. Objective fact-finding was valuable and the Committee should visit to establish the truth for itself.

78. **Mr. Buttigieg** (Self-Determination for Gibraltar Group), echoing the remarks made by the Chief Minister of Gibraltar, said that the Committee now had a legal decision from an international tribunal vindicating the position of Gibraltar. Given its modern relationship with the United Kingdom, Gibraltar was de facto no longer a colony and had attained a non-colonial level of self-governance. If that was not sufficient to be removed from the list of Non-Self-Governing Territories, the Committee should indicate the requisite course of action, for Gibraltarians had been asking to be de-listed for close to a decade.

79. The Committee should send a visiting mission to Gibraltar, in line with its mandate, as its inaction only emboldened Spain to continue making threatening statements and devising political machinations designed to bring into question the sovereignty of Gibraltar. Any purportedly friendly remarks made by the representative of Spain should be viewed in the light of its behaviour towards its own autonomous communities as well as Gibraltar.

Question of New Caledonia (A/C.4/71/5)

80. **Mr. d'Anglebermes** (Vice-president, Government of New Caledonia) said that at the Special Committee's regional seminar in May 2016, he had updated the Special Committee on the most recent actions of the Committee of Signatories of the Nouméa Accord,

specifically addressing the electoral dispute concerning the provincial and regional elections and the referendum on self-determination. On 5 June 2015, the members of that Committee had supported an amendment to the organic law on New Caledonia that would simplify the formalities for registration on the special electoral roll for the referendum.. He had emphasized that the method of compiling the electoral rolls must be unassailable. A constructive discussion at the 4 February 2016 meeting of that Committee had led to clear commitments being undertaken, among them the decision that the dispute over pre-2015 registrations on the special provincial electoral rolls was settled from a political standpoint. In order to ensure that the forthcoming referendum on self-determination would be genuine and uncontested, his Government had sought the assistance of United Nations observers in the special administrative committees tasked with compiling the electoral rolls.

81. Turning to his Government's international role, he noted that New Caledonia's gradual decolonization process had allowed the Territory to formulate its own foreign policy under the Nouméa Accord. A member of several regional intergovernmental organizations, New Caledonia maintained active bilateral relations with its regional partners, on the basis of bilateral cooperation agreements. New Caledonia had been admitted to the Pacific Islands Forum — the region's sole political organization — as a full member in 2016, which was a powerful regional acknowledgement that the Territory belonged, not only geographically but also politically and economically. It looked forward to participating fully in the Forum's decision-making processes and activities, both within and outside the region. As Chair of the next ministerial conference of the Pacific Community, his Government would organize the first European Union-Pacific summit in July 2017, part of an overall effort to advance Pacific interests in conjunction with other regional organizations, particularly with regard to environmental preservation, climate change mitigation and sustainable management of the oceans.

82. In collaboration with the French Government, the Government of New Caledonia had established the Natural Park of the Coral Sea in 2014 and was working to produce a management plan. The management committee, which included national institutions, traditional forums, environmental associations and marine experts, would focus its discussions on the preservation of sites of interest in terms of conservation. New Caledonian coral reefs classified as pristine — accounting for 30 per cent of all such reefs worldwide — were central to that initiative.

83. His Government was working with others in the Pacific region on initiatives aimed at formulating a sustainable ocean management policy. However, ocean conservation must be approached in the broader context of climate change mitigation. In that connection, New Caledonia's efforts to implement the Paris Agreement on Climate Change involved mitigation and adaptation actions.

84. The Territory's current fast track to regional and international integration contributed directly to its decolonization process and was in line with the principle of shared sovereignty set out in the Nouméa Accord. In that context, the Territory would become a member of the International Organization of La Francophonie and the World Health Organization's Regional Committee for the Western Pacific, as well as an associate member of the United Nations Educational, Scientific and Cultural Organization, which had declared New Caledonia's lagoons a World Heritage Site.

85. **Mr. Rai** (Papua New Guinea), stressing the importance of the preparation for the 2018 referendum on self-determination in New Caledonia, welcomed the joint efforts of the people of the Territory, the administering Power and the United Nations in the process provided for under the Nouméa Accord. The key conclusions and recommendations made by the United Nations visiting mission in 2014 must be respected, and it would be crucial to compile a fair and transparent special electoral list and to establish an electoral process for the self-determination of New Caledonia. He would welcome more information on whether the concerns that had been raised regarding the special electoral list for the referendum been resolved. If they had not been resolved, why not, and by when would they be resolved? Lastly, he enquired how the French Government and the Territorial Government of New Caledonia planned to implement the 2030 Agenda for Sustainable Development, given the vast disparity between the city of Nouméa and rural New Caledonia, where a majority of the Kanak people lived.

86. **Mr. d'Anglebermes** (Vice-president, Government of New Caledonia) said that a significant proportion of the Kanak population — including a large number of young people — were at risk of being unable to vote because they had not yet been registered on the electoral rolls. French Government and other officials were making efforts to resolve that problem, as the Nouméa Accord provided that every Kanak person having customary civil status should be able to vote in the 2018 referendum.

87. Like the Matignon Accords, the Nouméa Accord was based on the principle of rebalancing both economic and political responsibilities, a process in which both the French and New Caledonian Governments were actively involved. In that connection, his Government had recently held a colloquium on the level of responsibilities by ethnic group. His Government would follow the recommendations made at the colloquium in order to attain a rebalancing that was acceptable to all parties, particularly the Kanak people.

88. **Mr. Poadja** (Vice-Chair, Committee on Foreign Relations, Congress of New Caledonia), speaking on behalf of Calédonie Ensemble, the leading anti-independence political organization in his country, said that that movement brought together New Caledonians of all ethnicities, regions and socioeconomic backgrounds. In 2012, he had been the first Kanak from the northern region of Grande Terre island to be elected president of the Caledonian Congress.

89. A large and widely diverse majority of the population of New Caledonia wished to continue affirming its uniqueness as part of the French Republic by retaining its ties to that great country and the European continent as a whole, while remaining an active participant in the community of Pacific nations. Too many other countries were struggling to meet the basic needs of their citizens without external support such as that given by France to New Caledonia, in the amount of 1.3 billion euros a year.

90. The 2018 referendum on self-determination would give New Caledonia the choice to either govern itself and retain its traditions, history and culture while remaining a part of the French Republic, or to abandon it in favour of full sovereignty. The latter would constitute a grave error that the people of New Caledonia were unlikely to commit. Through dialogue and mutual respect, the pro- and anti-independence camps must keep the referendum from delivering the victory to one New Caledonia at the other's expense by working to establish the necessary balance and forge a common future.

Question of the Falkland Islands (Malvinas) (A/C.4/71/2)

91. **Mr. Hamilton**, speaking in his personal capacity as a historian, expressed concern that the United Kingdom, his country, and Argentina were not making progress towards resolving the dispute over the Falkland Islands (Malvinas), in spite of improving relations. The United Kingdom's continuing occupation of the islands was an archaic form of colonialism and a historical injustice that would rankle until it was rectified. He urged the Committee and the Special Committee to redouble their efforts to force the two sides to return to the negotiating table abandoned in the late 1970s. The conclusions and recommendations set out in General Assembly resolution 2065 (XX) would guide the efforts of both committees in doing so. Ae Special Committee report (A/5800/Rev.1, chap. XXIII, annex, para. 37) stated that a recommendation connected in one way or another with the substance of the matter would be necessary to permit complete application of the Declaration on decolonization.

92. The substance of the question of the Falkland Islands (Malvinas) was neither the status of the inhabitants nor self-determination but instead the sovereignty over the Territory itself. The Special Committee should put the British assertion of sovereignty over the islands to the test by seeking an advisory opinion from the International Court of Justice. On the basis of that opinion, the subsequent recommendation by the Committee would break the deadlock and put the parties under pressure to reach an agreement over sovereignty.

Question of the United States Virgin Islands

93. **Mr. Christopher** (ancestral and native Virgin Islander) said that the indigenous people of the United States Virgin Islands continued to be prevented from exercising their right to self-determination. Administered by a State with a long history of ignoring United Nations resolutions on decolonization, the Territory as a whole was deteriorating rapidly.

Moreover, a department of the colonizing Government implicated in treaty violations was collecting information on popular opinions and knowledge regarding self-determination, with a view to obstructing the immediate exercise of that right. As a result, the people of the Virgin Islands were forced to seek legal remedies under a constitution written and handed down by their colonizer. The results of that process — abetted by a corrupt judicial system — did not benefit the ancestral Virgin Islanders, who had their lands stolen and were denied the right to own and inherit property.

94. The current status of the Virgin Islands prevented its indigenous and ancestral people from creating laws and a constitution that served their interests. As a result, the Territory was beset with an unsustainable economy, failing education and health systems, and environmental pollution with severe health repercussions, in respect of which information was manipulated by a corrupt and self-serving governing body.

95. **Ms. Mason** (Descendant of Indigenous YHWH People) declared that she was one of the few individuals in attendance at the present meeting who actually cared about putting an end to the treatment of humans as chattel, the current practice in the United States Virgin Islands. The United Nations had failed to enforce its own Declaration, making a show of holding meetings to feign concern for the Virgin Islanders. Meanwhile, it had stood idly by as elites seized the lands of indigenous Virgin Islanders and oil companies polluted the Territory's environment, causing cancer rates to skyrocket. She cautioned the unholy alliance formed by United States of America, the United Nations and their bedfellows to put an immediate end to colonization, land theft, genocide, human trafficking, paedophilia and witchcraft. Their only hope was to repent of their evil rituals and seek the Creator's mercy. The world was waking up to the fact that the United Nations merely paid lip service to protecting indigenous peoples while aiding in their destruction.

96. **Mr. Calhoun** (Servant of YHWH), invoking passages from the Old Testament of the Bible, said that the United Nations had mandated the decolonization of the Virgin Islands by the United States of America. He endorsed the Algerian representative's characterizations of colonization as an atrocity and of decolonization as long overdue. The Old Testament clearly stated that any gathering of nations could only serve the purpose of opposing the Most High God and destroying his elect.

Statements in exercise of the right of reply

97. **Mr. Wilson** (United Kingdom of Great Britain and Northern Ireland), replying to the representative of Spain, said that his Government recalled its sovereignty over Gibraltar and the Territorial waters surrounding it and reaffirmed that Gibraltar, as a separate territory recognized by the United Nations and included since 1946 in its list of Non-Self-Governing Territories, enjoyed the rights accorded to it under the Charter of the United Nations. It also recalled that the people of Gibraltar enjoyed the right to self-determination and that the 2006 Gibraltar Constitution, endorsed in a referendum, provided for a modern and mature relationship between Gibraltar and the United Kingdom.

98. His Government reaffirmed that it would not enter into arrangements under which the people of Gibraltar would pass under the sovereignty of another State against their freely and democratically expressed wishes, and confirmed that it would not enter into a process of sovereignty negotiations with which Gibraltar was not content. It reaffirmed its commitment to safeguarding Gibraltar, its people and its economy.

99. The United Kingdom and Gibraltar remained firmly committed to the Trilateral Forum for Dialogue as the most credible, constructive and practical means of strengthening relations amongst all parties. The United Kingdom regretted that the Government of Spain had withdrawn formally from those talks in 2012.

100. Under the 2006 Constitution, Gibraltar had competence for all policy areas except external relations, defence and internal security, which were reserved for the United Kingdom. Gibraltar's active negotiation in any dialogue process was therefore non-negotiable. As Gibraltar was a Territory to which the European Union treaties largely applied, the Government of the United Kingdom was committed to fully involving the Government of Gibraltar as it prepared the process of exiting the European Union. Otherwise, the United Kingdom's vote to leave the

European Union did not change its unwavering commitment to respect Gibraltar's wishes in respect of sovereignty.

101. **Ms. Pedros Carretero** (Spain), replying to the representative of the United Kingdom, said that the admission by the Fédération Internationale de Football Association (FIFA) of the British Overseas Territory of Gibraltar as a member had been the direct result of a decision taken by the Court of Arbitration for Sport and, as such, was only binding on those federations that comprised FIFA. Moreover, the Court — a non-governmental, private court of arbitration — based its decisions on the views of the arbitrators that handled each case, instead of on international law. Therefore, those decisions did not apply to States or territories, but only to private natural or legal persons, in that particular instance, FIFA and the Gibraltar Football Association. The decisions taken by the Court of Arbitration for Sport and FIFA had absolutely no effects on international law and did not alter the international status of Gibraltar, recognized by the United Nations as a Non-Self-Governing Territory subject to a decolonization process.

102. She reiterated that Spain had not ceded the territorial waters surrounding Gibraltar and that the position of Spain regarding the areas ceded to Great Britain under the Treaty of Utrecht remained unchanged. Spain therefore categorically rejected the reference made by the United Kingdom to any type of sovereignty in the territorial waters surrounding Gibraltar. The sovereignty proposal put forth by Spain had been made in good faith. Given that relations with Spain would change radically for Gibraltar once European Union treaties ceased to apply to the United Kingdom and its dependent territories, and that the economies of Gibraltar and Campo de Gibraltar were very interconnected, her delegation urged the United Kingdom and Gibraltar to study the proposal in depth. She was convinced that it would benefit both Gibraltarians and the Spanish workers who commuted daily to the Rock.

The meeting rose at 6 p.m.